

## TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A  
SUBMISSION UNDER 35 U.S.C. 371

EV 642787616 US

11937/US/2

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/551392

INTERNATIONAL APPLICATION NO.

PCT/US04/09954

INTERNATIONAL FILING DATE

March 31, 2004

PRIORITY DATE CLAIMED

March 31, 2003

## TITLE OF INVENTION

METHODS FOR INHIBITING ADIPOGENESIS AND FOR TREATING TYPE 2 DIABETES

## APPLICANT(S) FOR DO/EO/US

MARKUS STOFFEL, CHRISTIAN WOLFRUM, DAVID Q. SHIH, SATORU KUWAJIMA AND DANIEL BESSER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not transmitted by the International Bureau).
  - b. ☐ had been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36

## Items 11 to 20. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 35 U.S.C. 1.821-1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

PCT/IB/304, PCT/IB/301, PCT/IB/311, Copy of international application as published

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; text-align: center;">10/551392</div>		INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/US04/09954</div>		ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">11937/US/2</div>	
21. The following fees have been submitted: <input checked="" type="checkbox"/> a) Basic national fee (37 CFR 1.492(a))..... <span style="float: right;">\$300.00</span>				CALCULATIONS <div style="border-top: 1px solid black;">\$ 300.00</div>	PTO USE ONLY <div style="border-top: 1px solid black;"></div>
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)--4)..... <span style="float: right;">\$0.00</span> All other situations..... <span style="float: right;">\$200.00</span>				<div style="border-top: 1px solid black;"></div> <div style="border-top: 1px solid black;">\$ 200.00</div>	<div style="border-top: 1px solid black;"></div> <div style="border-top: 1px solid black;"></div>
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)--4) <span style="float: right;">\$0.00</span> Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority..... <span style="float: right;">\$100.00</span> International Search Report prepared and provided to the Office ..... <span style="float: right;">\$400.00</span> All other situations ..... <span style="float: right;">\$500.00</span>				<div style="border-top: 1px solid black;"></div> <div style="border-top: 1px solid black;">\$ 100.00</div>	<div style="border-top: 1px solid black;"></div> <div style="border-top: 1px solid black;"></div>
<b>TOTAL OF 21, 22 and 23 =</b>				<div style="border-top: 1px solid black;">\$ 600.00</div>	<div style="border-top: 1px solid black;"></div>
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				<div style="border-top: 1px solid black;">\$250.00</div>	<div style="border-top: 1px solid black;"></div>
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
101 - 100	1 /50 =	1	x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<div style="border-top: 1px solid black;">\$</div>	<div style="border-top: 1px solid black;"></div>
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	50 -20 =	30	x \$50.00	\$1500.00	
Independent claims	7 -3 =	4	x \$200.00	\$800.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$360.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<div style="border-top: 1px solid black;">\$4110.00</div>	<div style="border-top: 1px solid black;"></div>
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<div style="border-top: 1px solid black;">\$2055.00</div>	<div style="border-top: 1px solid black;"></div>
<b>SUBTOTAL =</b>				<div style="border-top: 1px solid black;">\$2055.00</div>	<div style="border-top: 1px solid black;"></div>
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<div style="border-top: 1px solid black;">\$</div>	<div style="border-top: 1px solid black;"></div>
<b>TOTAL NATIONAL FEE =</b>				<div style="border-top: 1px solid black;">\$2055.00</div>	<div style="border-top: 1px solid black;"></div>
Fee for recording the enclose assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				<div style="border-top: 1px solid black;">\$</div>	<div style="border-top: 1px solid black;"></div>
<b>TOTAL FEES ENCLOSED =</b>				<div style="border-top: 1px solid black;">\$2055.00</div>	<div style="border-top: 1px solid black;"></div>
				<b>Amount to be refunded:</b>	\$
				<b>charged:</b>	\$

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a. <input checked="" type="checkbox"/> A check in the amount of <b>\$2055.00</b> to cover the above fees is enclosed.		
b. <input type="checkbox"/> Please charge my Deposit Account No. <b>50-2054</b> in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.		
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>50-2054</b> A duplicate copy of this sheet is enclosed.		
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.		
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>		
SEND ALL CORRESPONDENCE TO: <span style="float: right;">CUSTOMER NUMBER <b>30873</b></span>		
<b>Janet M. MacLeod</b> Dorsey & Whitney LLP Intellectual Property Department 250 Park Avenue New York, New York 10177	<div style="border-bottom: 1px solid black; text-align: center; font-family: cursive; font-size: 1.2em;">Janet M MacLeod</div> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;">           Signature  <b>Janet M. MacLeod</b> </div> <div style="width: 35%;">           September 29, 2005            Date         </div> </div> <div style="border-bottom: 1px solid black; text-align: center;">Name</div> <div style="border-bottom: 1px solid black; text-align: center;">35,263</div> <div style="border-bottom: 1px solid black; text-align: center;">Registration Number</div>	